

HAMILTON COUNTY BOARD OF COMMISSIONERS JANUARY 22, 2001

The Hamilton County Board of Commissioners met on Monday, January 22, 2001 at 12:00 noon in the Commissioner's Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The commissioners met in Executive Session. President Dillinger called the public meeting to order at 12:45 p.m. A quorum was present of Commissioner Sharon R. Clark, Commissioner Steven A. Holt and Commissioner Steven C. Dillinger. The Pledge of Allegiance was recited by everyone.

Approval of Minutes:

Holt motioned to approve the minutes of December 11, 2000. Clark seconded. Motion carried unanimously. Clark motioned to approve the minutes of December 26, 2000. Holt seconded. Motion carried unanimously. Clark motioned to approve the minutes of January 8, 2001. Holt seconded. Motion carried unanimously. Clark motioned to approve the minutes of January 16, 2001. Holt seconded. Clark and Holt approved. Dillinger abstained. Motion carried.

Executive Session Memoranda:

Holt motioned to approve the Executive Session Memoranda of January 22, 2001. Clark seconded. Motion carried unanimously.

Spay Neuter Clinic Additional:

Dillinger asked Robin Mills, Auditor, if the request for the \$50,000 additional will be put on the next county council agenda? Ms. Mills stated the county council suggested putting \$75,000 in the line item for the commissioners to use as they see fit. Dillinger stated the commissioners oppose doing that and asked that it be put on the next county council agenda.

Auditor: (Tape 1, #279)

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB B01-003 - Fidelity and Guaranty Insurance Company Performance Bond No. 400SE0185 for the proposed extension of the Windjammer Drain in Windermere Point Section 4 in the amount of \$7511.20. 2) HCDB B01-003A - Fidelity and Guaranty Insurance Company Payment Bond No. 400SE0185 for the proposed extension of the Windjammer Drain in Windermere Point Section 4 in the amount of \$7511.20. 3) HCDB B01-004 - Gulf Insurance Company Subdivision Bond No. BE0944675 for the reconstruction of the Krause & Klepfer drain through Northpoint, Section 2 in the amount of \$23,360.00. Clark motioned to accept. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB B99014 - Developers Surety and Indemnity Company Performance Bond No. 885085S for the reconstruction of the Russell Johnson Drain through Lake Stonebridge Section 3 in the amount of \$67,026.75. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Gross Wages for Hamilton County Employees:

Ms. Mills requested approval of the 2000 Gross Wages for Hamilton County Employees. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of the Vendor Claims of January 22, 2001 to be paid January 23, 2001.

Clark motioned to approve. Holt seconded. Motion carried unanimously.

Payroll Claim Signing:

Payroll Claims will be signed Monday, January 29, 2001 at 2:00 p.m. in the Auditor's office.

Plat Approvals: (Tape 1, #437)

Majestic Corner Plaza:

Ms. Michelle McGinnis, 7255 N. Dearborn Street, Indianapolis, requested approval of the secondary plat for Majestic Corner Plaza. Clark motioned to approve the Majestic Corner Plaza plat. Holt seconded. Motion carried unanimously.

Grimes Estates Exempt Plat:

Ms. Linda Currans, 7050 E. 249th Street, Cicero requested approval of the Grimes Estates Exempt Plat. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Highway Annual Bids:

Holt motioned to authorize the opening of the annual Highway Department bids in Conference Room 1A with results reported back later in the meeting. Clark seconded. Motion carried unanimously.

Dillinger recessed the Board of Commissioners meeting.

Board of Finance:

Holt opened the January 22, 2001 Hamilton County Board of Finance meeting. A quorum was present of Commissioners Dillinger, Clark and Holt and Treasurer Sally Wilson.

Ms. Wilson stated she does not have the annual report due to computer system problems. She asked that the annual report presentation be tabled until the February 26th meeting. Clark motioned to delay the receipt of the report until February 26, 2001. Dillinger seconded. Motion carried unanimously.

Election of Officers:

Clark motioned to elect Steve Holt as President of the Board of Finance. Dillinger seconded. Motion carried unanimously. Clark motioned to elect Steve Dillinger as Vice President of the Board of Finance. Holt seconded. Motion carried unanimously.

Dillinger motioned to adjourn. Clark seconded. Motion carried unanimously.

Dillinger reconvened the Board of Commissioners meeting.

Sheriff:

Deputy Farley asked that Sheriff Cook be put on the next meeting agenda to discuss a Towne Road issue.

Administrative Assistant: (Tape 1, #815)

Housing Finance Authority Performance Report:

Mr. Swift requested the President's signature on the Housing Finance Authority Semi-Annual Performance Report for the Senior Services Housing Study Grant. Holt motioned to approve the interim report. Clark seconded. Motion carried unanimously.

Request Use of Commissioner's Courtroom:

Mr. Swift stated the League of Women's Voters has requested use of the Commissioners Courtroom on February 3, 2001. Clark motioned to approve. Holt seconded. Motion carried unanimously. The Republican and Democratic parties would like to meet for their reorganization at 10:00 a.m. on March 3, 2001. The Republicans would like to use the Historic Courtroom and the Democrats would like to use the Commissioner's Courtroom. Clark motioned to approve. Holt seconded. Motion carried unanimously. Holt motioned to approve a Boy Scout troop would be allowed to use the Jury Assembly Room on Sunday, February 25, 2001 at 2:30 p.m. Clark seconded. Motion carried unanimously.

County Association Memberships:

Mr. Swift stated currently the County is paying memberships to the National Association of Counties, the Indiana Association of Counties and the Indiana Association of County Commissioners. We received an invoice for dues for the County Commissioner Association. Holt motioned to renew their memberships in these three organizations as a county. Dillinger seconded. Dillinger and Holt approved. Clark abstained because she does not approve the membership in NACCO. Motion approved.

Board of Zoning Appeals North Appointment:

Mr. Swift stated at the last Commissioner's meeting Dave Burtner was appointed to the Hamilton County Board of Zoning Appeals North. He lives in the southwest corner of Noblesville Township, which has been annexed by the City of Noblesville zoning jurisdiction. He is not eligible to serve on this board. We have sent a letter to him notifying him of the error. Mr. Swift stated his departure does not create a vacancy on this board. The statute calls for the commissioners make three (3) appointments to the County BZA. The county fiscal body makes one appointment and the Plan Commission makes one appointment from their membership. Holt motioned to rescind Dave Burtner's appointment to the Board of Zoning Appeals North. Clark seconded. Motion carried unanimously.

Visitor's and Tourism Bureau Appointment:

Holt motioned to appoint Phoebe Williams to the Hamilton County Visitors and Tourism Bureau. Clark seconded. Motion carried unanimously.

Plat Approval:

Adams Subdivision, Valleys at Geist, Section 4:

Ms. Jennifer Roberts, 4165 Millersville Road, Indianapolis stated she is representing the owners, Tim and Pam Adams, requested a plat for a lot in the Valleys at Geist, Section 4. Holt motioned to approve the Adams Subdivision, Valleys at Geist, Section 4. Clark seconded. Motion carried unanimously.

Fletcher Addition Exempt Plat:

Mr. Larry Fletcher, 135 W. Meridian, Atlanta, requested approval of the Fletcher Addition Exempt Plat. Clark motioned to approve the Fletcher Addition Exempt Plat. Holt seconded. Motion carried unanimously.

Ordinance 1-22-01-A, Amend County Zoning:

Mr. Chuck Kiphart stated Ordinance 1-22-01-A, is a request to amend the Hamilton County Zoning Ordinance No. 3/19/90, to rezone approximately three acres at 27498 US 31 from and A4P to C2. This would allow Mr. O'Brien to change the use of the building to a western wear store. There were no remonstrators at the public hearing and it was approved unanimously by the Plan Commission. Holt motioned to approve. Clark seconded. Clark stated if the land is being rezoned, she has a concern about right-of-way for a frontage road. Mr. Kiphart stated when a building is being rezoned it is doing nothing more than changing the use of an existing building. He is not proposing to expand it or change any of the land. Normally the county does not ask them to dedicate the right-of-way. This is along a state highway and they have final say on whether they want to request and use our ordinance to request people dedicate the proposed right-of-way. Clark stated that is shown on our Thoroughfare Plan. Mr. Kiphart

stated it is shown as an expanded right-of-way. Clark stated she does not want to get into a bind that we have to purchase the right-of-way if he does something else with the land. Clark stated she wants to protect the right-of-way. Holt agreed with Clark. On the Thoroughfare Plan the frontage road on the Adams Township side of US 31 sat back approximately 200 yards from US 31 so that it was an interior road. On the Thoroughfare Plan the frontage road would be behind the building, not in front of it. The question is would the frontage road go through this property or be west of it? Mr. Kiphart stated it would go half on this property and half on the property to the west. Holt asked if the Highway Department signed off on this? Mr. Kiphart stated yes. Mr. Kiphart stated because it was on US 31 it probably did not go to the Highway Department. Holt motioned to table. Clark seconded. Holt asked Mr. Kiphart to superimpose this parcel on the Thoroughfare Plan and see if you are correct? Mr. Kiphart stated he will do that and meet with Mr. O'Brien before he comes in. Holt asked Mr. Kiphart that in the future, no matter where a rezone is, to send it to the Highway Department.

Highway Business: (Tape 1, #1658)

Open Road Cut Permits:

Mr. Tom Stevens requested approval of an Open Road Cut Permit: 1) P2001014 - Indiana Gas Company at 10665 N. Park Avenue, Indianapolis, Indiana to install new gas service.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Stevens requested release of Bonds/Letters of Credit for the Highway Department. 1) HCHD #B99-0007 - Continental Casualty Company Bond 190571613 issued for Midwestern Electric, Inc. in the sum of \$10,088.00 for Traffic Signal Maintenance. Holt motioned to approve the released Bonds/Letters of Credit. Clark seconded. Motion carried unanimously.

Agreements:

Indiana-American Water Company:

Mr. Stevens requested approval of agreement HCHD #M-01-0003 with Indiana-American Water Company for construction of water lines in proposed Hamilton County right-of-way Exit 14 at I-69 Water Main Project. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #29 - PSI Energy Utility Agreement:

Mr. Stevens requested approval of utility agreement HCHD #M-01-0002 with PSI Energy for Bridge #129, Prairie Baptist Road over William Lock Ditch. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #230 - Beam, Longest & Neff Supplemental Agreement:

Mr. Stevens requested approval of Supplemental Agreement No. 1, HCHD #E97-0028, for Bridge #230, 146th Street over the West Fork of the White River with Beam, Longest & Neff. This is for the redesign of pier #2 because of unforeseen subsurface conditions. The amount is \$19,034.45. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge #208 - Beam, Longest & Neff Supplemental Agreement:

Mr. Stevens requested approval of Supplemental Agreement No. 3, HCHD #E99-0013, for Bridge #208, Field Drive over White River with Beam, Longest & Neff. This is to develop a habitat replacement plan in accordance with the DNR requirements. This supplement is in the amount of \$14,050.00. Holt motioned to approve. Clark seconded. Holt asked why would this work not be in the original contract? Mr. Matt Morasch, Highway Department, stated it was not anticipated that DNR would require mitigation for the clearing that we were going to have to do. DNR is requiring a mitigation of the declaring of clearing of trees for the bridge at a 2 to 1 ratio, so it has to be about a six acre area of tree planting. Holt stated he thought they always required that? Mr. Morasch stated it is at their discretion. Dillinger stated the slant of

the road change has required this change as it went through development. Holt asked where will the trees be planted? Mr. Morasch stated the County Parks Department has donated some land just west of Potter's Bridge Park and we are working with them to develop a plan for the planting. Clark asked what size trees? Mr. Morasch stated similar to the same size used on 116th Street. Clark asked if we can do that in house? Mr. Morasch stated DNR requires the site has to be surveyed which is beyond the scope we can do in house. Mr. Morasch stated the \$14,000 is for the survey, development of the planting plan and a three year monitoring plan. DNR requires we monitor the plantings for three years. Motion carried unanimously.

Terstep - Highway Garage Renovation Agreement:

Mr. Stevens requested approval of contract BP#1 - Site and General Building Work for Terstep Company, Inc. to install a sanitary sewer system in the amount of \$13,309.00. Holt motioned to approve. Clark seconded. Clark asked if this is an increase in money? Mr. Stevens stated it will be an increase in money. Clark asked if this will be out of the contingency? Mr. Stevens stated yes. Motion carried unanimously.

Traffic Study Correspondence Concurrence:

Mr. Stevens requested approval of the traffic study correspondence. Holt motioned to approve. Clark seconded. Clark stated she would be unable to support any of these letters. The Hamilton Heights School Board request outweighs what our manual says, which is a guideline. Michael Hawkins letter - if a tree has been taken down and his home is vulnerable she can not support that letter. Martha Featherston - she appreciates the help but we need to adapt those guidelines to our citizen's needs. Dillinger and Holt approved. Clark opposed. Motion carried.

Correspondence: (Tape 1, #2044)

INDOT Letter:

Mr. Stevens requested approval of a letter to Kevin McClure, Chief Division of Land Acquisition for INDOT regarding the 96th Street Transportation Project to request additional authorization of federal funds for the right-of-way acquisition so we can recover the full \$1 million as the federal share of that project. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Right-of-Way:

Arcadia Christian Church:

Mr. Stevens requested acceptance of right-of-way from Arcadia Christian Church. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Clay Township Trailways Project Additional:

Mr. Stevens requested signatures on additional requests from the County Council for \$116,117.00 out of the Cum Cap Fund or COIT to be deposited into the Trailways Fund and then a request for an appropriation from that fund. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Bridge Inspector Consultant:

Mr. Stevens stated they received 14 proposals to perform our 2002/2003 Bridge Inspection. We are recommending United Consulting Engineers. Holt motioned to appoint United Consulting Engineers. Clark seconded. Clark asked if we have used them in the past? Mr. Stevens stated they have been doing the bridge inspections the last two years. This is a four year contract where they inspect our system twice. This is done every four years. Clark stated she did not receive notice of the meeting until the day before the meeting. She asked Mr. Morasch to give her a little more notice so she can attend the next evaluation. Motion carried unanimously.

2001/2002 Contract Resurface Program:

Mr. Stevens presented the 2001/2002 Contract Resurface Program for review and concurrence. Holt motioned to approve the 2001/2002 Contract Resurface Program. Clark seconded. Motion carried unanimously.

Alignment Studies:

Mr. Stevens requested approval to proceed with alignment studies of Cammack Road at 216th and 236th Streets, Towne Road from Little Eagle Creek to 193rd Street and Shelborne Road from Little Eagle Creek to SR 32. We have had the initial meeting to notify everyone of the projects and at those meetings we presented ideas of preferred alignments and asked for comments on that. On Shelborne and Towne Road there is a broad corridor where we will look for an alignment within. We are asking the commissioners to review the packet and asking to proceed with the preferred alignment and then we will hold another meeting to get specific comments. Holt motioned to approve. Clark seconded. Clark asked if the firms doing the Cammack Road study and the Shelborne and Towne study charged with bringing some kind of alignment to the public? Mr. Morasch stated yes, they look a little different because the Cammack study took out two 90 degree turns in a roadway. On the Towne and Shelborne alignments it is not as obvious where the road goes except the starting and ending points. It is a roadway extension, not just taking out a couple of turns in the roadway. We developed a corridor where we felt the road would be located. Clark asked if Cammack needed drawings to present, where that was not requested of the other firm? Mr. Morasch stated correct. This was like a preliminary scope meeting where we let them know we have an alignment study to do and we want input on what should or should not be included and to educate people on what the alignment study really is. Most people felt it was a design study and we were getting ready to build the road, which is not the case. We are trying to modify the Thoroughfare Plan. Clark stated she received calls from people wanting to know if they should sell their houses. Mr. Morasch stated it has been difficult convincing people that we are trying to modify the Thoroughfare Plan and not actually building a roadway. Clark stated this is a new approach by the county, going out to the public this early in a project. Clark stated she has concerns of the broad band on Shelborne. Clark stated Westfield has built it's plant with the understanding that is where the road is going to be, she does not see any need to waste money to look at anything else. Mr. Morasch stated because it is such a long corridor there are other concerns. Mr. Morasch stated there is a commercial business on the north end and we are meeting with him and we are going to work with him to minimize costs. Clark stated she asked Dr. Virginia Kelleher to look into the potential wetland areas. Dr. Kelleher stated all they have right now is the Hamilton County Soil and Water are pulling their overheads and looking at the DNR maps of wetlands. There is not anything on there so far. Clark stated she has trouble wasting money looking at alternatives when the straight line is the way to go. Mr. Morasch stated we are likely to follow the straight line unless we encounter other problems. The broad band was to notify people because there was a potential wetland area and if something would happen these people would be notified up front. Clark stated it seems unnecessary to spend that kind of money that it is obvious with the Westfield plant location that we need to go via our thoroughfare plan. Dillinger asked Clark how she can be critical of the Highway Department for giving people information? Mr. Morasch stated we don't spend a lot of money, the alternatives are lines drawn on a map. We quickly go to the preferred alternative and that is where the bulk of the money will be spent. Clark asked if that is the subject of the next meeting? Mr. Morasch stated yes, there will be several lines on the map with the preferred plan will be in more detail. Clark asked the reason we have to do this is because without this actual engineered corridor we can not actually keep development or homes being built in that corridor because it is a line on our thoroughfare plan? Mr. Morasch stated right now it is a dash line. Clark stated it is her understanding that we can not protect that land until we have an engineered study delineating that right-of-way? Dillinger stated it is his understanding we can not protect the land without it. Dillinger stated it makes sense to do this instead of re-engineering. Clark stated she wants to make sure the public understands that in order to protect those right-of-ways we have to do it this way. Mr. Morasch stated they have been trying to meet with people who call and have questions. Motion carried unanimously.

Funding/Priority Scenario Report:

Mr. Stevens stated they are not prepared to present the funding/priority scenario report. The Council Highway Committee wants to know what our proposed funding sources are to apply to these priorities.

We have had a meeting with Mike Reuter and outlined some questions and we need to have a follow-up meeting. The commissioners can expect this report at their next meeting.

Council Highway Committee Meeting:

Mr. Stevens stated a Council Highway Committee meeting is scheduled for February 2, 2001 at 8:30 a.m. Holt stated he will try to attend and if is unable he will notify Clark.

Highway Annual Bids: (Tape 1, #3115)

Mr. Michael Howard stated that he, Ms. Rauch and Kathy Howard opened the annual Highway bids. There were numerous bids opened and read aloud. Mr. Howard recommended those bids be forwarded to the Highway Department for review and recommendation at the next meeting. Clark motioned to approve. Holt seconded. Motion carried unanimously.

Bids were received from the following: (Copies of the itemized bids can be found on file in the Auditor's office.) Form 95 and Bid Bonds were included unless otherwise specified.

Category 1 - Aggregates: Martin Marietta Materials, U.S. Aggregates

Category 2 - Bituminous Mixtures: Milestone Contractors, Rieth-Riley Construction Co., Inc., E&B Paving, Marzane

Category 3 - Liquid Asphalt: Asphalt Materials, Marathon Ashland Petroleum LLC,

Category 4 - Pipes/Drainage Structures: St. Regis Culvert, Inc., Metal Culverts, CPI Supply

Category 5 - Pre-Engineered Bridges & Components: St. Regis Culvert, Inc., American Timber Bridge & Culvert, Inc.

Category 6 - Sheet Signs/Posts: Whitco Sign & Mfg. Corporation, Signs and Blanks, Inc., Unitstrut - Indianapolis, Hall Sign, Inc.

Category 7 - Salt: Cargill Inc. - Salt Division, IMC Salt, Young Trucking, Morton Salt

Category 8 - Pavement Traffic Markings - T&R Pavement Markings, Inc., Tri-Mack Barricade Company, The Airmarking Co., Inc., Chemi-Trol Chemical Co.

Category 9 - Weed & Brush Control: Chemi-Trol Chemical Co., The Daltons Inc., DeAngelo Brothers, Inc., Downin's Green Grow, Inc., Townsend Tree Service Co., Inc.

Category 10 - Hourly Rates - Equipment & Labor: Chuck Johnson, Inc., Vine & Branch, Inc., Central Indiana Treeworks, Townsend Tree Service, Co., Inc.

Category 11- Gasoline/Fuel Lubricants: Speedway Super America LLC, Hamilton County COOP

Guardrails: Bid submitted by James R. Drew Corporation.

Notice of Non-Renewal of Insurance - Trisler Construction:

Mr. Howard stated that is Trisler's policy on the Highway Salt Barn and he is in contact with Trisler's attorney.

United States Department of Commerce Recognition:

Dillinger stated Hamilton County has received recognition from the United States Department of Commerce for our participation and cooperation with the 2000 US Census.

Unclaimed Property:

Mr. Swift stated several meetings ago the commissioners signed a claim to receive unclaimed property for the county. We have received the check from the Attorney General.

Dillinger called a recess in the meeting.

Dillinger called the meeting back to order at 2:30 p.m.

Digital Ortho Photo Project RFP Opening: (Tape 1, #3310)

Mr. Larry Stout they have requested proposals for Digital Orthophotography and Planimetric Update Project. We will bring back a recommendation on February 26, 2001. Holt motioned to direct Mr. Stout to review the proposals submitted and report back. Clark seconded. Motion carried unanimously.

Aldelphia Franchise Agreement:

Mr. Howard stated that Aldelphia Franchise Agreement will have to be brought back in three weeks.

Dillinger called a recess in the meeting.

Dillinger called the meeting back to order at 3:00 p.m.

Bid Award:

Server:

Ms. B.J. Casali stated on January 8, 2001 a new contract was awarded for a new tax system software. We opened bids for the server for that system. Ms. Casali stated they received only one bid. Ms. Casali recommended entering into a contract with Bel Techlogix. Clark motioned to approve. Holt seconded. Holt asked if it was a reasonable bid? Ms. Casali stated yes. Motion carried unanimously.

Attorney:

Digital Ortho Photo Project RFP:

Mr. Howard stated we received four (4) responses to the Digital Ortho Photo Project RFP - 3Di; Air-Land Surveys, Inc.; The Sanborn Map Company, Inc.; and Woolpert LLC. Those RFP's have been referred to Mr. Stout.

Lewin Insurance Claims:

Mr. Howard requested approval of a letter to Mr. Jeff Fox of the Nyhart Company regarding distribution of necessary claims for Mr. William Lewin. Holt motioned to approve. Clark seconded. Motion carried unanimously.

INDOT Agreement - Thistlewaite Drain:

Mr. Howard requested approval of an agreement between INDOT and Hamilton County regarding the Thistlewaite Drain Project. Clark motioned to approve. Dillinger seconded. Clark and Dillinger approved. Holt abstained. Motion carried.

Resolution 1-22-01-2 Regarding Payment of Claims: (Tape 2, #158)

Mr. Howard requested approval of Resolution 1-22-01-2, Concerning Payment of Claims for the 146th Street Project. This resolves Dawn Coverdale is no longer employed at the Highway Department and Kathy Howard is designated as the successor to Dawn Coverdale and will have authority to sign the claims. Holt motioned to approve the resolution and replace Dawn Coverdale with Kathy Howard as signatory. Clark seconded. Motion carried unanimously.

Fearrin Insurance Consulting Agreement:

Mr. Howard requested the signature of the President of the Board of Commissioners on an agreement between Hamilton County and Fearrin Insurance Agency. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Weights and Measures Interlocal Agreement: (Tape 2, #246)

Mr. Howard presented the interlocal agreement between Hamilton County and Boone County for Weights and Measures. The employees of Weights and Measures are Hamilton County employees, they go through our claim procedure, they are subject to our personnel policy. Boone County will contribute \$17,000 towards the Weights and Measures budget. Dillinger stated we entered into that agreement because the law required us to establish this department and Boone County did not have the money to do it. We have gone far enough with this. Because our vehicles are over there it creates a lot more travel time, our people are saying they need more help, more equipment. We have plenty to take care of in Hamilton County. Boone County has had enough time to establish their own weights and measures program. He is not interested in extending the contract. Clark stated we have no choice for 2001 because it is in everybody's budget. Mr. Howard stated this agreement is terminable by either party with 60 days notice. Clark stated we need to give Boone County a years' notice. Clark stated she will be in front of the Boone County Commissioners on February 5th with the updated agreement. Holt stated he wants to continue the arrangement. It is good use of limited resources. Holt stated if we did not service Boone County we would not be able to let an employee go. There is no savings for us in terms of labor costs to not be servicing Boone County. The only thing that may be reduced is gasoline expenditures. We are not spending that amount of money for gasoline. Clark motioned to approve the interlocal agreement with Boone County. Holt seconded. Clark and Holt approved. Dillinger opposed. Motion carried. Clark stated she will convey Dillinger's concerns to the Boone County Commissioners.

ISSD Credit Card - Resolution 1-22-01-1:

Mr. Howard requested approval of Resolution 1-22-01-1, Concerning ISSD Credit Card. Holt motioned to approve. Clark seconded. Clark commended the Auditor, ISS Manager and the County Attorney on the turn around. Motion carried unanimously.

Release of Escrow Retainage Accounts - Community Corrections Renovations:

Mr. Howard requested approval of the Release of Escrow Retainage Accounts for Long Electric, Co. and C.M. Contractors, Inc. from the Community Corrections Renovations. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Liability Trust Claims:

Mr. Howard requested approval of claims from the Liability Trust. 1) Callahan Reporting Services, Inc - \$185.00; 2) Accurate Reporting of Indiana - \$194.25; 3) American Reporting Service - \$52.00; and Michael A. Howard - \$1,200.00. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Health Insurance Trust Fund:

Mr. Howard stated pursuant to the commissioners directions he met with Bob Fearrin to review the commissioner's service as trustees to the trust and it is our opinion that there could be a question regarding whether the commissioners are covered for liability out of the trust. Doug Walker and Bob Fearrin are shopping for a quote for another trustee and that quote will be available at the next meeting.

Ordinance 1-22-01-A, Rezone - Continued: (Tape 2, #708)

Mr. Chuck Kiphart requested approval of Ordinance 1-22-01-A, Rezone of 27498 US 31, Arcadia. Mr. Kiphart showed the frontage road at 528' from the center of US 31. The original Thoroughfare Plan (1990) showed the road at 660' from the center of US 31. The document shows it at 1320' from the center of US 31. Any one of those maps does not abut the actual property. Mr. Howard asked if it has access to US 31? Mr. Kiphart stated yes, there is an easement through the property to the south, which is were the

current road cut is. Mr. Howard asked if he owns or has an ownership interest in the property to the west through which the right-of-way line runs? Mr. Kiphart stated no. Mr. Howard asked if we have any other right-of-way along that line? Mr. Kiphart stated the closest is 236th. Mr. Kiphart stated currently on US 31 our GIS shows existing right-of-way between a total of 107' and 200'. In our original Thoroughfare Plan it recommended a minimum of 200' of right-of-way for expressway on US 31. Holt stated he can see why the petitioner would want to volunteer right-of-way, but to do it 200' out of the way to catch his lot is not logical. Mr. Kiphart stated he can try to find out from INDOT what the requirement is and we could approve this rezone contingent upon that. The petitioner agreed. Holt motioned to approve Rezone Ordinance 1-22-01-A contingent upon the dedication of whatever right-of-way is required to make 100' half right-of-way in front of the subject property. Clark seconded. Motion carried unanimously.

Holt motioned to direct the Highway Department to undertake the alignment study of US 31 frontage roads as soon as possible. Clark seconded. Motion carried unanimously.

Dillinger adjourned the meeting at 4:30 p.m.

Commissioners Correspondence:

Indiana State Coroners Training Board Letter

Trisler Construction Notice of Nonrenewal of Insurance

IDEM Notice of Sewer Permit Application:

Kite Greyhound LLC Sewer Main - Carmel

Stoney Creek Lift Station - Noblesville

Weaver Woods, Section 5 - Fishers

Kingsborough, Section 4 - Carmel

IDEM Notice of Approval:

Indianapolis Woodworking, Inc. - Fishers

IDEM Notice of Appeal Rights:

The Woods at Prairie Crossing, Section 2 - Noblesville

Sweet Briar North, Section 4 - Fishers

Time Warner/AOL Notice of Merger

Present:

Steven C. Dillinger, Commissioner Sally Wilson, Treasurer

Steven A. Holt, Commissioner Larry Stout, GIS Manager

Sharon R. Clark, Commissioner Molly Ryan, ISSD

Robin M. Mills, Auditor Joe Seig, ISSD

Kim Rauch, Executive Secretary to Auditor B.J. Casali ISS Manager

Fred Swift, Administrative Assistant to Commissioners Larry Canterbury, E&B

Michael A. Howard, Attorney Jay Longenecker, Asphalt Materials, Inc.

Wayne A. Farley, Sheriff's Deputy Joe Williams, Hall Signs, Inc.

Tom K. Stevens, Highway Director Tamara Blevins, CPI Supply

Jim Neal, Highway Project Engineer Danny Duckworth, Milestone Contractors

Dave Lucas, Highway Inspector Kathy Howard, Highway Department

James Farrell, Highway Inspector Jim Lippert, St. Regis Culvert

Steve Broermann, Highway Technical Engineer

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

Matt Morasch, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

Jim Andrews, Mastec Engineering

APPROVED:

HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor